

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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PATRICK W. DOHERTY. ,

Plaintiff,

- against -

CITIBANK (SOUTH DAKOTA) N.A.,

Defendant.

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**JUDGMENT**

CV-04-5578 (ADS)

An Order of Honorable Arthur D. Spatt, United States District Judge, having been filed on June 29, 2005, denying plaintiff's motion to remand this action to the District Court, County of Suffolk and granting defendant's motion pursuant to Fed. R. Civ. P. 12(b)(6) to dismiss for failure to state a claim, it is

**ORDERED AND ADJUDGED** that plaintiff take nothing of defendant; and that plaintiff's complaint is hereby dismissed.

Dated: Central Islip, New York  
June 30, 2005

ROBERT C. HEINEMANN  
CLERK OF THE COURT

BY: /S/ LORRAINE SAPIENZA  
DEPUTY CLERK